

§ 882.320

with its terms, if all of the following apply:

(i) The number of bedrooms in the Family's Private Space is larger than appropriate under the Occupancy Standards in effect when the PHA approved the Lease (or the current Occupancy Standards, if higher). (The PHA must notify the family that exceptions to the Occupancy Standards may be granted and of the circumstances in which the PHA will grant an exception.);

(ii) The current Fair Market Rent (or higher rent approved by the PHA in accordance with § 882.106(a) (3) or (4)) for a unit with the number of bedrooms appropriate for the Family under the Occupancy Standards in effect when the PHA approved the Lease (or the current Occupancy Standards, if higher), is less than the Family's Gross Rent; and

(iii) An acceptable unit is found that is available for the Family's occupancy.

(5) Sections 882.209(i) and 882.213 do not apply to Shared Housing.

[51 FR 21310, June 11, 1986, and 53 FR 4388, Feb. 16, 1988, as amended at 53 FR 4390, Feb. 16 1988; 53 FR 7734, Mar. 10, 1988]

§ 882.320 Initial contract rent.

(a) *General.* The maximum initial Gross Rent and Contract Rent for Shared Housing will be determined in accordance with § 882.106, as modified by this section.

(b) *Fair Market Rent limitation.* The PHA applies the Fair Market Rent limitation in § 882.106(a) by not permitting the initial Gross Rent for a Family to exceed the Pro Rata Portion of the published Fair Market Rent or of a higher rent, as approved by the PHA in accordance with § 882.106(a), for the entire unit.

(c) *Rent reasonableness limitation.* The PHA applies the rent reasonableness limitation in § 882.106(b), by taking the following actions for determining rent under each Shared Housing Contract:

(1) Certifying that the Contract Rent for a Family does not exceed the Pro Rata Portion of a reasonable rent for the entire unit, as determined under the standards in § 882.106(b)(1)(i);

(2) Certifying that the Contract Rent for a Family does not exceed rents cur-

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rently being charged by the Owner for comparable unassisted units; and

(3) Following the requirements of §§ 882.106 (b)(2) and (b)(3).

(d) [Reserved]

(e) *Proration.* For purposes of this section, the "Pro Rata Portion" is calculated by multiplying the amounts specified in paragraphs (b) and (c) of this section by a ratio derived by dividing the number of bedrooms in the Private Space available for occupancy by an assisted Family by the total number of bedrooms in the unit. For example, for an assisted Family entitled to occupy three bedrooms of a five-bedroom unit, the ratio would be $\frac{3}{5}$. In the special case of two individuals sharing a one-bedroom unit, the ratio for the assisted Family is $\frac{1}{2}$.

[51 FR 21310, June 11, 1986; 51 FR 29464, Aug. 18, 1986, and 53 FR 4388, Feb. 16, 1988, as amended at 53 FR 4390, Feb. 16, 1988; 53 FR 7734, Mar. 10, 1988]

§ 882.325 Contract rent adjustments.

The Contract Rent for a Family will be adjusted in accordance with § 882.108(a), using the annual adjustment factor for the rent for the entire unit. The adjustment may not result in an adjusted Contract Rent under a Shared Housing Contract that exceeds the rent reasonableness limitation applied in accordance with § 882.320(c) at the time of adjustment.

§ 882.330 Tenant rent and total tenant payment.

The Total Tenant Payment and Tenant Rent for each Family are determined in accordance with part 813 of this chapter, based on the Family's Income.

§ 882.335 Special requirements for related lease shared housing.

(a) *Administrative plan.* (1) In the case of Related Lease Shared Housing, the administrative plan may contain policies providing for special treatment in the issuance and use of Certificates to facilitate the initial pairing of Families for assistance or the replacement of a Sharing Family that has vacated the unit.

(2) The administrative plan may permit a Certificate-holder, or a Sharing Family that is seeking to replace a